

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Noetzel, Siegfried et al.
Serial No. : 10/774,247
Filed : 6 February 2004
Title : ANALYTICAL TEST ELEMENT AND METHOD
FOR BLOOD ANALYSES
Docket No. : WP 21397 US
Examiner : Wallenhorst, Maureen
Art Unit : 1743
Confirm. No. : 9104

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This paper is being filed in response to the Office Action mailed 19 September 2007. In the Office Action, the Examiner required restriction between allegedly distinct inventions identified by the Examiner as Group I (claims 1-10 and 23-24), said to be drawn to an analytical test element comprising a sample channel and a dilution channel and classified in class 436, subclass 179; and Group II (claims 11-22), said to be drawn to an analytical test element comprising a first channel for determining total hemoglobin and a second channel for determining glycohemoglobin and classified in class 436, subclass 66.

Applicants hereby elect, without traverse, to have the claims of Group I examined on the merits.

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Applicants respectfully submit that the application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
ROCHE DIAGNOSTICS OPERATIONS, INC.

Date: 10 October 2007

By /Brian L. Smiler/

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